

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
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DATE FILED: 12/16/2020

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JOSUE PAGUADA, *on behalf of himself and*  
*all others similarly situated,*

Plaintiff,

20-CV-9256 (VSB)

-against-

**ORDER**

ALLEN BROTHERS 189S, LLC,


Defendant.  
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VERNON S. BRODERICK, United States District Judge:

Plaintiff filed this action on November 4, 2020, (Doc. 1), and filed an affidavit of service on November 19, 2020, (Doc. 5). The deadline for Defendant to respond to Plaintiff's complaint was December 10, 2020. (*See id.*) To date, Defendant has not appeared or responded to the complaint. Plaintiff, however, has taken no action to prosecute this case. Accordingly, if Plaintiff intends to seek a default judgment he directed to do so in accordance with Rule 4(H) of my Individual Rules and Practices in Civil Cases by no later than January 15, 2021. If Plaintiff fails to do so or otherwise demonstrate that he intends to prosecute this litigation, I may dismiss this case for failure to prosecute pursuant to Federal Rule of Civil Procedure 41(b).

SO ORDERED.

Dated: December 16, 2020  
New York, New York

  
Vernon S. Broderick  
United States District Judge